

REMARKS


In a telephone conference dated April 10, 2007, the Examiner indicated that the above-presented claims were allowable. However, the Examiner wanted a number of formal matters addressed. The Examiner required Claim 3 to be re-written in independent form and wanted the first paragraph amended to include reference to the provisional application, both of which have now been done. In addition, the Examiner requested that the formal filing documents filed with the PCT application on which the present application is based be made part of the record. These documents, which are in PDF format accompany this amendment. Also, the Examiner inquired whether there was any art located in the PCT search report or other foreign report that need to be made part of the record. To the best of the Applicant's knowledge, all art located in other searches was submitted in a previously filed IDS.

For the foregoing reasons, applicant respectfully submits that the foregoing claims, as amended, are allowable. Therefore, a Notice of Allowance for Claims 1, 3-12 and 14-20 is respectfully requested.

Should it facilitate allowance of the application, the Examiner is invited to telephone the undersigned attorney. The Commissioner is hereby authorized to charge any additional payment that may be due or credit any overpayment to Deposit Account No. 08-2395.

Respectfully submitted,

HITT GAINES, P.C.

A handwritten signature in cursive script, appearing to read "Charles W. Gaines".

Charles W. Gaines

Registration No. 36,804

Date: 4/11/07

P.O. Box 832570
Richardson, Texas 75083
(972) 480-8800

PCT (ANNEX - FEE CALCULATION SHEET)Original (for **SUBMISSION**) - printed on 02.10.2002 10:15:59 AM

(This sheet is not part of and does not count as a sheet of the international application)

0	For receiving Office use only		
0-1	International Application No.		
0-2	Date stamp of the receiving Office		
0-4	Form - PCT/RO/101 (Annex)		
0-4-1	PCT Fee Calculation Sheet Prepared using	PCT-EASY Version 2.92 (updated 01.06.2002)	
0-9	Applicant's or agent's file reference	ART. PCT	
2	Applicant	TANG, Ying	
12	Calculation of prescribed fees	fee amount/multiplier	Total amounts (USD)
12-1	Transmittal fee T	\Rightarrow	240
12-2-1	Search fee S	\Rightarrow	450
12-2-2	International search to be carried out by	US	
12-3	International fee		
	Basic fee (first 30 sheets) b1	407	
12-4	Remaining sheets	2	
12-5	Additional amount (X)	9	
12-6	Total additional amount b2	18	
12-7	b1 + b2 = B	425	
12-8	Designation fees		
	Number of designations contained in international application	94	
12-9	Number of designation fees payable (maximum 5)	5	
12-10	Amount of designation fee (X)	88	
12-11	Total designation fees D	440	
12-12	PCT-EASY fee reduction R	-125	
12-13	Total International fee (B+D-R) I	\Rightarrow	740
12-14	Fee for priority document		
	Number of priority documents requested	1	
12-15	Fee per document (X)	15	
12-16	Total priority document fee P	\Rightarrow	15
12-17	TOTAL FEES PAYABLE (T+S+I+P)	\Rightarrow	1,445
12-19	Mode of payment	cheque	

VALIDATION LOG AND REMARKS

13-2-8	Validation messages Fees	Green? Please confirm that fee schedule utilized is the latest available
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PCT

Original (for **SUBMISSION**) - printed on 02.10.2002 10:15:59 AM**PCT-EASY INFORMATION SHEET**

(For applicant use only, DO NOT submit this sheet with the international application)

VALIDATION LOG

Green?	Fees Please confirm that fee schedule utilized is the latest available
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Before submitting the International Application, please carefully verify that:

- the information contained on printed Request form is correct;
- Box X of the Request form has been signed;
- all elements of the international application as indicated in Boxes VIII and IX of the Request form have been attached; and,
- the diskette containing the PCT-EASY zip file of the International Application has been enclosed and has been clearly labeled "PCT-EASY", with the applicant's or agent's file reference, and the first applicant's name.

ATTENTION

DO NOT modify any indications on the Request form printout. The electronic version of the PCT-EASY application has been locked. If an error or an omission is discovered at this time, you must reopen the stored form for submission, perform necessary amendments and immediately resubmit the form. Finally, a NEW submission diskette must be created manually by resending the corrected stored form to the diskette. The previously created printout and submission diskette must be destroyed in order to prevent the possibility of erroneously sending it to the RO.

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent, with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ US

PCT

CHAPTER II

DEMAND

under Article 31 of the Patent Cooperation Treaty:
The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty and hereby elects all eligible States (except where otherwise indicated).

For International Preliminary Examining Authority use only	
Identification of IPEA	Date of receipt of DEMAND
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION	
Applicant's or agent's file reference ART. PCT	
International application No. PCT/US02/31782	International filing date (day/month/year) 02/10/2002
(Earliest) Priority date (day/month/year) 03/10/2001	
Title of invention Recycled Rubber Processing and Performance Enhancement	
Box No. II APPLICANT(S)	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.) TANG, Ying 8558 Lori Ann Court Jacksonville, FL 32220 USA	
Telephone No. 904-786-5200 Facsimile No. 904-786-1060 Teleprinter No. Applicant's registration No. with the Office	
State (that is, country) of nationality: US	State (that is, country) of residence: US
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.) 	
State (that is, country) of nationality:	State (that is, country) of residence:
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.) 	
State (that is, country) of nationality:	State (that is, country) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.	

Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCEThe following person is ☒ agent ☐ common representativeand ☒ has been appointed earlier and represents the applicant(s) also for international preliminary examination.☐ is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked.☐ is hereby appointed, specifically for the procedure before the International Preliminary Examining Authority, in addition to the agent(s)/common representative appointed earlier.Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

SMITH, Jonathan R.
 Rigdon Patents & Engineering P C
 1306 Gloucester St
 Brunswick GA 31520-7056 USA

Telephone No.

912-264-4100

Facsimile No.

912-264-5001

Teleprinter No.

Agent's registration No. with the Office

47098

☐ Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.**Box No. IV BASIS FOR INTERNATIONAL PRELIMINARY EXAMINATION****Statement concerning amendments:***

1. The applicant wishes the international preliminary examination to start on the basis of:

☒ the international application as originally filedthe description ☒ as originally filed☐ as amended under Article 34the claims ☒ as originally filed☐ as amended under Article 19 (together with any accompanying statement)☐ as amended under Article 34the drawings ☒ as originally filed☐ as amended under Article 342. ☐ The applicant wishes any amendment to the claims under Article 19 to be considered as reversed.3. ☐ The applicant wishes the start of the international preliminary examination to be postponed until the expiration of 20 months from the priority date unless the International Preliminary Examining Authority receives a copy of any amendments made under Article 19 or a notice from the applicant that he does not wish to make such amendments (Rule 69.1(d)). *(This check-box may be marked only where the time limit under Article 19 has not yet expired.)*

* Where no check-box is marked, international preliminary examination will start on the basis of the international application as originally filed or, where a copy of amendments to the claims under Article 19 and/or amendments of the international application under Article 34 are received by the International Preliminary Examining Authority before it has begun to draw up a written opinion or the international preliminary examination report, as so amended.

Language for the purposes of international preliminary examination: English☒ which is the language in which the international application was filed.☐ which is the language of a translation furnished for the purposes of international search.☐ which is the language of publication of the international application.☐ which is the language of the translation (to be) furnished for the purposes of international preliminary examination.**Box No. V ELECTION OF STATES**The applicant hereby elects all eligible States *(that is, all States which have been designated and which are bound by Chapter II of the PCT)*

excluding the following States which the applicant wishes not to elect:

Sheet No. ...

International application No.

Box No. VI CHECK LIST

The demand is accompanied by the following elements, in the language referred to in Box No. IV, for the purposes of international preliminary examination:

- | | | | |
|--|---|----|--------|
| 1. translation of international application | : | 25 | sheets |
| 2. amendments under Article 34 | : | 0 | sheets |
| 3. copy (or, where required, translation) of amendments under Article 19 | : | 0 | sheets |
| 4. copy (or, where required, translation) of statement under Article 19 | : | 0 | sheets |
| 5. letter | : | 0 | sheets |
| 6. other (<i>specify</i>) | : | 0 | sheets |

For International Preliminary Examining Authority use only

received not received

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

The demand is also accompanied by the item(s) marked below:

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> fee calculation sheet | 5. <input type="checkbox"/> statement explaining lack of signature |
| 2. <input type="checkbox"/> original separate power of attorney | 6. <input type="checkbox"/> sequence listings in computer readable form |
| 3. <input type="checkbox"/> original general power of attorney | 7. <input type="checkbox"/> tables in computer readable form related to sequence listings |
| 4. <input type="checkbox"/> copy of general power of attorney; reference number, if any: | 8. <input type="checkbox"/> other (<i>specify</i>): |

Box No. VII SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the demand).



Jonathan R. Smith

For International Preliminary Examining Authority use only

1. Date of actual receipt of DEMAND:

2. Adjusted date of receipt of demand due to CORRECTIONS under Rule 60.1(b):

3. ☐ The date of receipt of the demand is AFTER the expiration of 19 months from the priority date and item 4 or 5, below, does not apply.☐ The applicant has been informed accordingly.4. ☐ The date of receipt of the demand is WITHIN the period of 19 months from the priority date as extended by virtue of Rule 80.5.5. ☐ Although the date of receipt of the demand is after the expiration of 19 months from the priority date, the delay in arrival is EXCUSED pursuant to Rule 82.

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Demand received from IPEA on:

PCT

FEE CALCULATION SHEET

Annex to the Demand

International application No.	For International Preliminary Examining Authority use only											
Applicant's or agent's file reference	Date stamp of the IPEA											
Applicant												
CALCULATION OF PRESCRIBED FEES												
1. Preliminary examination fee	490.00	P										
2. Handling fee (<i>Applicants from certain States are entitled to a reduction of 75% of the handling fee. Where the applicant is (or all applicants are) so entitled, the amount to be entered at H is 25% of the handling fee.</i>)	172.00	H										
3. Total of prescribed fees Add the amounts entered at P and H and enter total in the TOTAL box	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> 662.00 TOTAL </div>											
MODE OF PAYMENT												
<table style="width: 100%; border: none;"> <tr> <td style="width: 35%; vertical-align: top;"> <input type="checkbox"/> authorization to charge deposit account with the IPEA (see below) </td> <td style="width: 35%; vertical-align: top;"> <input type="checkbox"/> cash </td> </tr> <tr> <td style="vertical-align: top;"> <input checked="" type="checkbox"/> cheque </td> <td style="vertical-align: top;"> <input type="checkbox"/> revenue stamps </td> </tr> <tr> <td style="vertical-align: top;"> <input type="checkbox"/> postal money order </td> <td style="vertical-align: top;"> <input type="checkbox"/> coupons </td> </tr> <tr> <td style="vertical-align: top;"> <input type="checkbox"/> bank draft </td> <td style="vertical-align: top;"> <input type="checkbox"/> other (specify): </td> </tr> </table>			<input type="checkbox"/> authorization to charge deposit account with the IPEA (see below)	<input type="checkbox"/> cash	<input checked="" type="checkbox"/> cheque	<input type="checkbox"/> revenue stamps	<input type="checkbox"/> postal money order	<input type="checkbox"/> coupons	<input type="checkbox"/> bank draft	<input type="checkbox"/> other (specify):		
<input type="checkbox"/> authorization to charge deposit account with the IPEA (see below)	<input type="checkbox"/> cash											
<input checked="" type="checkbox"/> cheque	<input type="checkbox"/> revenue stamps											
<input type="checkbox"/> postal money order	<input type="checkbox"/> coupons											
<input type="checkbox"/> bank draft	<input type="checkbox"/> other (specify):											
AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT <i>(This mode of payment may not be available at all IPEAs)</i>												
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Authorization to charge the total fees indicated above. </td> <td style="width: 50%; vertical-align: top;"> IPEA/ _____ </td> </tr> <tr> <td style="vertical-align: top;"> <input type="checkbox"/> <i>(This check-box may be marked only if the conditions for deposit accounts of the IPEA so permit)</i> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above. </td> <td style="vertical-align: top;"> Deposit Account No.: _____ </td> </tr> <tr> <td></td> <td style="vertical-align: top;"> Date: _____ </td> </tr> <tr> <td></td> <td style="vertical-align: top;"> Name: _____ </td> </tr> <tr> <td></td> <td style="vertical-align: top;"> Signature: _____ </td> </tr> </table>			<input type="checkbox"/> Authorization to charge the total fees indicated above.	IPEA/ _____	<input type="checkbox"/> <i>(This check-box may be marked only if the conditions for deposit accounts of the IPEA so permit)</i> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	Deposit Account No.: _____		Date: _____		Name: _____		Signature: _____
<input type="checkbox"/> Authorization to charge the total fees indicated above.	IPEA/ _____											
<input type="checkbox"/> <i>(This check-box may be marked only if the conditions for deposit accounts of the IPEA so permit)</i> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	Deposit Account No.: _____											
	Date: _____											
	Name: _____											
	Signature: _____											

PCT REQUEST

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0	For receiving Office use only	
0-1	International Application No.	
0-2	International Filing Date	
0-3	Name of receiving Office and "PCT International Application"	
0-4	Form - PCT/RO/101 PCT Request	
0-4-1	Prepared using	PCT-EASY Version 2.92 (updated 01.06.2002)
0-5	Petition The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
0-6	Receiving Office (specified by the applicant)	United States Patent and Trademark Office (USPTO) (RO/US)
0-7	Applicant's or agent's file reference	ART. PCT
I	Title of invention	RECYCLED RUBBER PROCESSING AND PERFORMANCE ENHANCEMENT
II	Applicant	
II-1	This person is:	applicant and inventor
II-2	Applicant for	all designated States
II-4	Name (LAST, First)	TANG, Ying
II-5	Address:	8558 Lori Ann Court Jacksonville, FL 32220 United States of America
II-6	State of nationality	US
II-7	State of residence	US
II-8	Telephone No.	904-786-5200
II-9	Facsimile No.	904-786-1060
II-10	e-mail	art@americanrubber.com
IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	agent
IV-1-1	Name (LAST, First)	SMITH, Jonathan
IV-1-2	Address:	Rigdon Patents & Engineering 1306 Gloucester Street Brunswick, GA 31520-7056 United States of America
IV-1-3	Telephone No.	912-264-4100
IV-1-4	Facsimile No.	912-264-5001
IV-1-5	e-mail	riggpat@bellsouth.net
IV-1-5	Agent's registration No.	47098

PCT REQUEST

ART.PCT

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V	Designation of States	
V-1	Regional Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	<p>AP: GH GM KE LS MW MZ SD SL SZ TZ UG ZM ZW and any other State which is a Contracting State of the Harare Protocol and of the PCT</p> <p>EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT</p> <p>EP: AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR IE IT LU MC NL PT SE SK TR and any other State which is a Contracting State of the European Patent Convention and of the PCT</p> <p>OA: BF BJ CF CG CI CM GA GN GQ GW ML MR NE SN TD TG and any other State which is a member State of OAPI and a Contracting State of the PCT</p>
V-2	National Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	<p>AE AG AL AM AT AU AZ BA BB BG BR BY BZ CA CH&LI CN CO CR CU CZ DE DK DM DZ EC EE ES FI GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP KR KZ LC LK LR LS LT LU LV MA MD MG MK MN MW MX MZ NO NZ OM PH PL PT RO RU SD SE SG SI SK SL TJ TM TN TR TT TZ UA UG US UZ VC VN YU ZA ZM ZW</p>
V-5	Precautionary Designation Statement in addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except any designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit.	
V-6	Exclusion(s) from precautionary designations	NONE
VI-1	Priority claim of earlier national application	
VI-1-1	Filing date	03 October 2001 (03.10.2001)
VI-1-2	Number	09/970,177
VI-1-3	Country	US

PCT REQUEST

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VI-2	Priority document request The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s):	VI-1	
VII-1	International Searching Authority Chosen	United States Patent and Trademark Office (USPTO) (ISA/US)	
VII-2	Request to use results of earlier search; reference to that search		
VII-2-1	Date	03 October 2001 (03.10.2001)	
VII-2-2	Number	09/970,177	
VII-2-3	Country (or regional Office)	US	
VIII	Declarations	Number of declarations	
VIII-1	Declaration as to the identity of the inventor	1	
VIII-2	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	1	
VIII-3	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	1	
VIII-4	Declaration of inventorship (only for the purposes of the designation of the United States of America)	---	
VIII-5	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	---	

PCT REQUEST

ART.PCT

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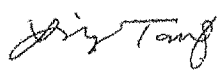
VIII-1-1	Declaration: Identity of the Inventor Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i))	in relation to this international application
	Name: Address:	TANG, Ying of 8558 Lori Ann Court Jacksonville, FL 32220 United States of America is the inventor of the subject matter for which protection is sought by way of this international application
	This declaration is made for the purposes of:	all designations except the designation of the United States of America

VIII-2-1	Declaration: Entitlement to apply for and be granted a patent Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate: Name:	in relation to this international application TANG, Ying is entitled to apply for and be granted a patent by virtue of the following:
VIII-2-1 (i)		TANG, Ying of 8558 Lori Ann Court Jacksonville United States of America is the inventor of the subject matter for which protection is sought by way of this international application
VIII-2-1 (ix)	This declaration is made for the purposes of:	all designations except the designation of the United States of America

VIII-3-1	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(III) and 51bis.1(a)(III)). Name:	in relation to this international application TANG, Ying is entitled to claim priority of earlier application No. 09/970,177 by virtue of the following:
VIII-3-1 (i)		the applicant is the inventor of the subject matter for which protection was sought by way of the earlier application
VIII-3-1 (ix)	This declaration is made for the purposes of:	all designations

PCT REQUEST

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IX	Check list	number of sheets	electronic file(s) attached
IX-1	Request (including declaration sheets)	7	--
IX-2	Description	17	--
IX-3	Claims	5	--
IX-4	Abstract	1	EZABST00.TXT
IX-5	Drawings	2	--
IX-7	TOTAL	32	
	Accompanying items	paper document(s) attached	electronic file(s) attached
IX-8	Fee calculation sheet	✓	--
IX-17	PCT-EASY diskette	--	Diskette
IX-19	Figure of the drawings which should accompany the abstract	1	
IX-20	Language of filing of the international application	English	
X-1	Signature of applicant, agent or common representative		
X-1-1	Name (LAST, First)	SMITH, Jonathan	
X-2	Signature of applicant, agent or common representative		
X-2-1	Name (LAST, First)	TANG, Ying	

FOR RECEIVING OFFICE USE ONLY

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/US
10-6	Transmittal of search copy delayed until search fee is paid	

FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the international Bureau	
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